

STATEMENT OF THE REPUBLIC OF POLAND

Right of reply

OSCE Human Dimension Implementation Meeting
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Working session 14: Humanitarian issues and other commitments, including trafficking in human beings, refugees and displaced persons, persons at risk of displacement

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I would like to exercise my right of reply in regard to the statement delivered by the Human Rights Without Frontiers.

The Polish government does not take an active part in the process of hiring North Korean workers nor does it promote such practices. The existing cooperation is based on private companies' independent agreements.

The government institutions, such as the National Labour Inspectorate and the Border Guard, oversee the DPRK nationals' employment conditions and ensure the Polish laws are respected in their workplace. To that end, these institutions regularly inspect the companies where DPRK nationals are employed. Inspections performed by the above-mentioned institutions did not confirm any cases of forced labour related to North-Korean workers in Poland.

Poland, similarly to other EU countries, did not have systemic solutions prohibiting North Korean citizens (or citizens from any other country) to take up work in Poland before the adoption of UN resolutions 2371 and 2375. In this view a general ban on entering Poland and taking up work for specific nationalities would be discriminating.

We welcomed the UN resolutions 2371 and 2375 adopted in this regard as providing the international community with adequate tools related to issue of the DPRK workers. In order to exercise these resolutions we stopped the issuance of new work permits to DPRK workers since August 2017. The related laws regulating access to labour market have been amended on order to find a solution to the problem. The necessary amendments have entered into force on February 2018.

Poland also strives to implement the provisions of the UN resolution No. 2397 that will enable return of DPRK workers to their country.

We estimate that as of September 2018 there were 225 DPRK citizens, whose purpose of stay in Poland was to perform work. This number is constantly decreasing. To actively implement the resolution's provisions, we have begun to withdraw residence permits granted in previous years to DPRK nationals. By mid-September 2018, decisions revoking 250 DPRK citizens' work authorizations had been taken. We can say that we are ahead of

schedule – more than half of the DPRK citizens present in Poland at the time of the adoption of the UNSCR 2397 have already returned to the DPRK.

Moreover, it is important to reiterate that in 2017 and 2016 Poland did not issue any work visas to North Korean citizens – as was stressed by our delegation previously. It is important to underline that according to the Polish law, the visas issued by consuls of the Republic of Poland on the one hand, and residence permits issued by regional governor's offices on the other are different titles of stay.

We are also pleased to inform that the Permanent Delegation of the Republic of Poland in Vienna remains in contact with the representatives of the Human Rights Without Frontiers in regard to this topic.